IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18031 of 2008
BISHUNDEO MAHTO
Versus
STATE OF BIHAR
---

3 24.6.2008 Heard learned counsel for the parties.

The petitioner's prayer for bail in a case under sections 302/201/34/120B of the Penal Code was earlier rejected vide order, dated 26.2.2007 passed in Cr.Misc.No. 4840/2007.

Subsequently some other accused persons moved this court and were granted bail including Ashok Mahto and Tekan Mahto who are the main accused in this case.

Learned counsel for the petitioner submits that the trial is in progress and several witnesses have been examined. The only witnesses to be examined are the I.O., the doctor and the informant of the cases. The witnesses who have been examined have not specifically alleged that they have seen this petitioner during the commission of the trial.

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Considering the fact that this court has already granted bail to other co-accused persons vide Cr. Misc. No. 24926/2007 vide order, dated 9.7.2007, the petitioner Bishundeo Mahto is directed to be released on bail in Simultalla PS Case No. 26/2006 giving rise to S.T. No. 534/2006 on furnishing bail bond of rupees ten thousand with two sureties of the like amount each to the satisfaction of Fast Track Court IV, Jamui with the condition that the petitioner should cooperate with the court during the trial and he shall appear on each and every date as and when required by the court and if he absents even for a single date without cause, his bail bond shall stand cancelled.

haque **(Sheema Ali Khan, J.)**